

Upturn Underwriting: A Case of Irrational Behavior, October, p. 18.
Are We Hitting the Bottom of the Cycle? November, p. 16.
AIRMIC Looks at Long-Tail Underwriting, December, p. 12.

LEGAL

Attorney Advises on Workers' Comp Claim Legitimacy, Daniel Forbes, January, p. 58.

NCCI seminar panelist suggests methods for evaluating the validity of workers' compensation claims.

Making a Rational Decision to Settle out of Court, Donald E. Vinson, Ph.D., May, p. 40.

Shows how pre-trial research can help a defendant make an informed decision between settling out of court and proceeding with a trial.

Negligence: Doctrine in a State of Flux, Leo J. Winstead and Paul Cottrell, October, p. 30.

Reviews the various theories of comparative negligence and contribution, providing a state-by-state analysis of which theories apply where.

Tracking Court Developments in Bad Faith and Punitive Damages, Victor B. Levit, November, p. 78.

Notes the upward trend in the size and frequency of punitive damage judgments against insurers, and the differences among the states regarding insurability of such damages.

Protecting Yourself in the Arena of Hazardous Waste Litigation, Meredith Braxton, November, p. 84.

Panelists explore problems and potential solutions for hazardous waste lawsuits.

Tracking Products Liability Law in the Far East, Conon D. Reilly, December, p. 50.

A survey of products liability law in various Far Eastern countries.

REGULATORY

Compensating Victims of Nuclear Radiation Exposure: Bill Raises Fears of Precedent-Setting Changes, Daniel Forbes, February, p. 68.

Reports on the nuclear power industry's reaction to, and experts' opinions of, the proposed Radiogenic Cancer Compensation Act of 1983. Examines the bill's implications in tort law and problems associated with extrapolating scientific data.

Utilities and Insurers Take a Dim View of Proposed Radiation Exposure Compensation Law, Daniel Forbes, March, p. 73.

Describes the nuclear insurance community's negative reaction to the proposed Radiogenic Cancer Compensation Act, which would lower probability of causation standards.

Debate Rages over WC Remedy for Occupational Disease, Randy O'Neill, June, p. 38 (Encore '84).

Representatives of the insurance industry, the scientific community and a risk manager disagree on solutions to the problem of compensating occupational disease victims.

Legislators Consider Toughening Toxicity Tests, Meredith Braxton, July, p. 82.

Reports that measures being considered

by New York State could expand the scope of manufacturers' liability for their products.

Federal Remedy Won't Help Diseased Workers' Comp System: Erlenborn, Daniel Forbes, August, p. 51.

Reports Rep. John N. Erlenborn's attack on the proposed Miller Bill at a government briefing, also touching on the issues of the federal deficit and deregulation of the banking industry.

Workers' Comp System Needs Reform to Handle Occupational Disease, Daniel Forbes, September, p. 82.

Report of an International conference on disability compensation for occupational diseases, at which participants contended that actual compensation is inadequate and outlined reasons for the shortfall.

Panelists Condemn Unintended Effect of N.J. Surplus Lines Act, Jon Harkavy, November, p. 82.

Reports on a CPCU seminar in which the New Jersey Surplus Lines Guaranty Fund Act came under fire.

Self Insureds, Benefits, Insurer Reserves under IRS Scrutiny, Rita Epstein, December, p. 70.

Covers RIMS' 1984 Federal Tax Package seminar in which speakers explained why Congress enacted the tax changes and identified areas that may be future IRS targets.

Local Governments' Immunity from Antitrust Elicits Mixed RM Reaction, Meredith Braxton, December, p. 78.

Municipal risk managers voice divergent opinions of the Local Government Antitrust Act of 1984.

RISK CONTROL

Mitigating Catastrophic Losses through Property Restoration, S. W. Mooring and Kirk Blackmon, April, p. 48.

Explains how using a large-scale restoration company in the wake of a catastrophic property loss can reduce business interruption losses. Provides guidelines for picking a company.

A Case Study in Risk Control, Gerard C. Coletta and John H. Moyer, June, p. 26.

Details the approach one company used to design a risk control program consistent with the company's organizational goals and protecting management's desired bottom-line position.

Pre-Planning Cushions Catastrophes' Effects, Say Disaster Specialists, Meredith Braxton, p. 53 (Encore '84).

Discusses what should be included in a formal disaster plan and how to develop one.

Loss Control Technologies Include Artificial Intelligence, Daniel Forbes, June, p. 53 (Encore '84).

Explains how artificial intelligence can reduce failures of the man/machine interface and, therefore, reduce losses.

Resurrecting the Art of Risk Control, Gerard C. Coletta, August, p. 46.

Differentiates between risk control and after-the-fact loss control, and argues that the current emphasis on risk financing is misplaced.

Protecting Municipalities from Looming Antitrust Suits, Edward A. Pouzar, September, p. 20.

Outlines a plan for managing the antitrust liability exposure of municipalities using the City of Hartford's plan as a model.

Facing the Exposures of the Robot Revolution, Roman F. Diekemper, October, p. 40.

Describes the loss exposures created by the installation of robotic systems, loss control and safety measures designed to reduce them and product liability and insurance considerations.

Establishing Risk Parameters to Protect Computer Facilities, P. Richard Hackenburg and J. E. Dugan, November, p. 20.

A step-by-step analysis of systems that protect computers against physical damage.

TIPS Offers Help in Smashing Liquor Liability Potential, Meredith Braxton, November, p. 74.

Explains how alcohol-server intervention training programs can reduce liquor liability exposure and provide protection against litigation.

Safety/Security

Risk Evaluation through Epidemiology, Nancy A. Dreyer, MPH, Ph.D., January, p. 50.

Explains how the methods of epidemiologic research can be used for pinpointing evidence of latent occupational disease.

Computer Criminals are Outstripping Risk Management Preventive Efforts to Stem Fraud Wave, Say Experts, Daniel Forbes, January, p. 62.

Speakers at a NY Society of CPCU seminar analyze the problem of computer crime, emphasizing categories of loss and methods of establishing proof.

Managing the Nitrous Oxide Risk is No Laughing Matter, Glenn T. Troyer, February, p. 54.

Describes legal implications of chronic nitrous oxide exposure and suggests ways to eliminate or reduce potential liability.

Revco Finds Stretching Can Be a Cost Containing Exercise, Daniel Forbes, March, p. 62.

Reports that work-related injuries were reduced substantially when Revco D.S. Inc. instituted a mandatory stretching program following meal breaks.

Investigative Service Can Help a Business Protect Against Itself, Daniel Forbes, May, p. 74.

Describes an investigative service that employs former FBI agents to check job applicants' backgrounds and references and performs due diligence investigations.

Symposium Examines Terrorism, Espionage and Computer Fraud, Meredith Braxton, October, p. 74.

Panelists describe the magnitude of these crimes and outline steps to prevent them.

New Program Heralds a Renaissance in Safety for Westin, Jerry LaChapelle, December, p. 38.

Describes the loss control program at the Westin Hotel in Detroit's Renaissance Center, its evolution and its results to date.

Time is Running Out on Right-to-Know Compliance, Howard B. Brown, December, p. 60.

Points out that even companies not involved in the manufacture of chemicals must

put right-to-know programs in place to meet OSHA's deadline for users of chemicals. Explains what OSHA requires of employers.

Environmental Impairment

Attacking the EIL Problem Head On, Allan H. Bader and Charles P. Priesing, Ph.D., January, p. 18.

A comprehensive overview of EIL exposures and ways to deal with them. Includes a pull-out guide to major legislation in this area, and analyzes the risk manager's role in company-wide protection efforts.

Environmental Impairment Liability Risk Assessments Open Corporate Eyes to Fostering Pollution Problems, Daniel Forbes, April, p. 116.

RIMS NY chapter meeting focuses on how an environmental impairment risk assessment survey is conducted and what other information underwriters require to price an account.

Petroleum Storage Harbors Hidden EIL Exposures, Alan P. Schreiman, September, p. 36.

Presents a four-phase approach for dealing with environmental impairment liability exposures that attend storing petroleum for a company's use.

Environmental Impairment in the Hospital: Assessing the Risks, K. Wesley Anderson and Melvin L. Capell, September, p. 41.

Identifies the many sources of hazardous waste in hospitals, reviews applicable regulations and recommends techniques for handling them.

Planning Eases Coping with Environmental Problems, Allan H. Bader, November, p. 50.

Discusses loss control activities as part of a risk management program to help control potential environmental impairment liability exposures.

RISK FINANCING

Reinsurance Security: A Buyer's Perspective, James Duffy, March, p. 42.

Explains how to choose a safe reinsurer. Surveys developments in the insurance industry and how they affect reinsurer solvency.

Guarding against the Risks Inherent in Limited Partnerships, Gerald P. Bruner, March, p. 46.

Identifies areas of potential abuse and liability in a limited partnership. Describes insurance available to reduce these risks.

Conducting Claims Administration Audits: Why, How And Who?, Harry P. Devlin, April, p. 54.

Describes the purpose and particulars of a claims administration audit. Suggests guidelines for choosing an auditor and explains how to use the final report.

Buying Soft Market Insurance with Finesse, Michael M. Kaddatz, April, p. 66.

Explains how to obtain the best insurance product for the lowest price by using multiple brokers at renewal time, as well as how to protect programs from a sudden turnabout in the market.

Consultants Encourage RMs to Aggressively Manage Insurer and Broker Relationships, Daniel Forbes, April, p. 108.

Report of a presentation to the RIMS

Delaware Valley Chapter by H. Felix Koman and Mitch Cole of Risk Planning Group, in which they discuss the need for managing insurer/broker relationships to avoid litigation and obtain services that meet risk managers' needs.

Finding the Hidden Savings in Personal Injury Settlements, Dennis C. Sami, June, p. 22.

Describes how to analyze damages to determine their true value and argue successfully for a structured settlement during the settlement conference.

Communication Efforts Key to Successful RM Audits, Meredith Braxton, June, p. 54 (Encore '84).

Panelists offer tips on making the risk management audit less painful and more efficient.

Risk Managers Urged to Prepare for Imminent Market Crunch, Meredith Braxton, August, p. 52.

Reports panelists' views at RIMS' Connecticut Valley RM Day, who agreed that the market is tightening but differed on the severity of the turnaround and the proper response for risk managers.

Building Construction Coverage—Piece by Piece, Scott M. Sanderson, September, p. 50.

Reviews needed coverages for contractors and comments on various insurance arrangements.

Maximizing Cash Flow in Multinational Benefit Plans, C. C. Gamwell III, October, p. 50.

Explains techniques, such as the use of premium devices, multinational experience rating practices and adjustments to reserve patterns, that increase cash flow in multinational benefit plans.

DEFRA, REQUA Termed Murky Administrative Headaches, Daniel Forbes, November, p. 68.

Report of a Mercer-Meidinger seminar which considered effects of the Deficit Reduction Act of 1984 and the Retirement Equity Act of 1984.

Loss Adjustment in Brazil's Inflationary Economy, Bob Martin and Alasdair Kerr, November, p. 34.

Case study details a method for adjusting a large business loss in Brazil despite its hyperinflation and currency fluctuation.

Legal Considerations

Monthly column by Sidney R. Pine and P. Bruce Wright.

IRS Rules Colorado Captive's Premiums Not Deductible; Group Owned Insurer Seen as Taxable; Casualty Loss Rulings, January, p. 14.

U.S. District Court Vacates Opinion in Colorado Captive Case; Foreign Mutuals & Tax Credits, February, p. 14.

Brokers Get Full Earnings Credit; Ruling Favors Buyers of Foreign Risk-Insuring Captives; Self Insured A&H Clarified, March, p. 12.

Flexible Spending Accounts Incur IRS' Wrath; VEBA Assignments Curtailed; Surety Bonds Defined; MPAA Case Appealed to Top Court, April, p. 24.

Tax Bill Proposal Severely Impacts RMs; IRS Reverses CIF Exclue Tax Stance; Association Providing WC is a Mutual, May, p. 12.

IRS Considers Subpart F Income Tax Case; Offshore Drilling Insurers Are Taxable; Joint Warranty Writer Is No Insurer, June, p. 18.

Group's Insurance Promo Fees Taxable; IRS Denies Exemption to Hospitals' SI Trust; Deduction OK'd without Claim, July, p. 14.

When Involuntary Conversion Nets Gain; Non-Profit Entity Loses Tax-Exempt Status; Actuaries Respond to SEC Proposal, August, p. 12.

New Tax Law Limits Workers' Compensation Deductions; FASB Looks at Post-Retirement Benefits, September, p. 16.

IRS Changes Position on Unrelated Business; Motives of Reorganization Questioned; N.Y. Proposes New Regs, October, p. 16.

Captive Premium Tax Deduction Denied; Deduction Accrual Case Is Moot Victory for Taxpayer, November, p. 12.

Treasury Indicates a Future Interest in P/C Insurers; IRS Considers Taxability of Deferred Compensation Plan Payments, December, p. 18.

Insurance Coverages

Juggling the Variables in Time Element Coverages, Michael L. Smith, Part 1, March, p. 20; Part 2, April, p. 74.

Examines techniques involved in choosing business interruption coverage: determining the probable maximum loss (PML), setting an appropriate retention level, evaluating coinsurance requirements and choosing an appropriate insurance form.

How Much Does the CGL Pollution Exclusion Really Exclude?, Eugene R. Anderson and Avraham C. Moskowitz, April, p. 28.

Reviews the evolution of the CGL pollution exclusion and examines applicable case law.

Product Integrity Impairment Insurance Capacity Is Shrinking, Randy O'Neill, June, p. 43 (Encore '84).

Examines the problem of tightening capacity in the product integrity impairment market while the need for this coverage is growing.

The Changing Nature of HPR in Today's Market, Elizabeth Hook, June, p. 46 (Encore '84).

Brokers and insurers debate the current state of the highly protected risk (HPR) market and its causes.

Confusion Marks Punitive Damages Insurance Market, Haren Kahn, June, p. 50 (Encore '84).

An attorney, a broker and an insurer offer their views on punitive damages insurance.

New and Old Exporter Insurance Coverages Reviewed, Daniel Forbes, June, p. 52 (Encore '84).

Examines insurance products for exporters and those doing business overseas.

NCCI Workers' Comp Policy Revisions Examined, Daniel Forbes, July, p. 78.

Details changes in the NCCI Workers' Compensation and Employers Liability insurance policy.

The Case for Retroactive Liability Insurance, Michael L. Smith and Robert C. Witt, August, p. 32.

Explores the advantages and disadvantages

tages of using retroactive liability insurance, using the MGM Grand Hotel policy as an example.

Emerging Risk in Builder's Risk Coverage, Denis Shillington, October, p. 58.

Reviews court decisions that have interpreted the "cost of making good" exclusion in builder's risk policies as applying to all damage if a design fault or faulty workmanship is involved, and suggests a solution to close this gap in protection.

Financial Guarantees: Providing New Hope to Insurers?, Daniel Forbes, October, p. 62.

Explores the emerging field of financial guarantees, describing the various guarantees available, the theories on which they are based and the general market and industry reaction.

Can You Construct a Truly Effective Paid Loss Retro Plan?, Michael Murphy, December, p. 24.

The author defines paid loss retro plans, traces their historical development and offers tips on how to evaluate the many elements of these plans.

Self Insurance/Captives

Constructing Sound Future Strategy for Captives, Mitchell J. Cole, February, p. 46.

Outlines specific techniques for evaluating a captive's performance, balancing the conflicting needs of parent and captive and determining captive participation in the insurance marketplace.

Captive Conference Focuses on Taxes and Regulation, Daniel Forbes, February, p. 72.

Report of a conference discusses the effect of tax and regulatory pressure on the future of captives and outlines potential problem areas.

IRS Finetunes Its Audits of Loss Reserves, P. Bruce Wright and Martin J. Nilsen, March, p. 26.

Examines reasons behind the increased IRS scrutiny of loss reserves and evaluates both the closed case and modified case methods of auditing the reserves.

Clarification of Goals and Objectives Key to Successful Association and Group Captives, Daniel Forbes, June, p. 47 (Encore '84).

The mechanics of organizing and operating an association or group captive are examined as well as the potential for conflict among members of the pool.

Refining the Administrative Aspects of Self Insurance, Daniel Forbes, June, p. 49 (Encore '84).

Summarizing an issue paper, panelists recommend improving administration of self-insurance programs and examine the role of regulators in the area of self insurance.

Captives Continue to Serve Purpose, Cope with Change: CICA Conference, Rita Epstein, December, p. 81.

Panelists at the fall CICA Conference consider the effects of the insurance market, IRS actions and captives' past experience on the future of captives.

Self-Insurance Institute of America's Annual Meeting: A Call to Action, Daniel Forbes, December, 1984, p. 87.

Speakers outline what to look for in third

party administrators, offer criticism of the 1984 tax law as it affects self insureds and details favorable aspects of setting up a Virgin Islands captive.

EMPLOYEE BENEFITS

Public Supportive of Health Cost Curbs, Says Survey, Gordon Stack, January, p. 64.

Reports on The Equitable Health Care Survey, which demonstrated that the problem of skyrocketing health care costs is widely recognized.

Evaluating Alternatives to Insuring Group Health Plans, Jerry D. Todd, Ph.D., February, p. 29.

Details the advantages and disadvantages of self insurance, retroactive premium plans, deferred premium plans, minimum premium plans, split-funded plans and administrative services only plans.

The Changing World of Employee Benefits Reviewed at NY Meeting, Daniel Forbes, March, p. 71.

Report of a RIMS NY chapter meeting discusses aspects of 401(k) salary reduction plans and flexible benefits plans that concern the risk manager.

Piecing together the Health Care Cost Control Puzzle Takes Sound Planning, Thomas S. Sher, April, p. 40.

Breaks down formulation of a health care cost control strategy into three steps. Outlines problems with implementing corrective action and suggests solutions.

Preferred Provider Organizations: What Can these Highly Touted Health-Care Delivery Systems Really Offer?, Daniel Forbes, April, p. 87.

Describes how PPOs operate and points out their potential benefits and problem areas. Examines the possible effects of PPOs on patient groups, quality of care and the medical profession.

Do Workers' Comp and Group Health Plans Deserve Separate Treatment?, Robert D. Haller, May, p. 50.

Argues that combining workers' comp and group health programs can bring costs down, and suggests managing the rating and service of the plans together until legislation allows combining them formally.

Business Coalitions Can Help Fight Health Costs, Randy O'Neill, June, p. 43 (Encore '84).

Members of business coalitions advocate using these organizations to force physicians to reduce costs.

Combining Employee Benefits and WC Delivery Systems: Exploring the Pros and Cons, Daniel Forbes, June, p. 51 (Encore '84).

Despite potential problems with 24-hour coverage, integration of claims administration is viewed as the key to cost containment.

Dissecting the (401)k Plan, Meredith Braxton, June, p. 52 (Encore '84).

Speakers explain the (401)k plan and optional provisions to the plan.

Pooling Your Multinational Employee Benefits Plan, Randy O'Neill, June, p. 58 (Encore '84).

Panelists explore the important factors to consider when creating a centralized global employee benefits program.

Rehabilitation Efforts Save Money and

Boost Human Potential, Daniel Forbes, July, p. 63.

Describes how rehabilitation services work, what kind of cases they handle and how much money these efforts generally save.

'Dovetailed' Medical Plans Offer Tax Favored Benefit Option, Donald G. Lightfoot, August, p. 41.

Explains how to set up an insured medical expense reimbursement plan for highly compensated employees without having reimbursements constitute taxable income.

Communicating Benefits Changes to Employees Explored at BI Conference, Daniel Forbes, September, p. 78.

Participants discuss methods of communicating benefits changes, especially reductions, to employees using in-house resources.

Health Care Programs Put Emphasis on Prevention, Meredith Braxton, October, p. 72.

Reports on health care loss prevention programs that use industrial medicine techniques and health risk profiles to help reduce a corporation's health care costs.

Measuring Cost Effectiveness of EAPs, Donald W. Myers, November, p. 56.

Points out weaknesses in most EAP cost-effectiveness studies and suggests ways to improve analysis in the future.

BOOK REVIEW

Risk Financing, published by International Risk Management Institute, Inc., reviewed by Bob A. Hedges, Ph.D., CPCU, CLU, May, p. 72.

RIMS LIAISON MEETINGS

Royal (Canada) Plans Marketing & Pricing Changes, Gord Hird, March, p. 14.

Risk Management Consultants Emphasize Project Parameters and Steady Dialogue, Laura Hinkley, April, p. 12. With sidebar by Jim Kennedy.

Industrial Risk Insurers (IRI) Stresses Engineering Strength, May, p. 14.

CIGNA International/AFIA Reveals Plans, June, p. 14.

AIG Expects Stress Underwriting Discipline and Assesses Impact of a 'Turning' Market on the P/C Industry, July, p. 16.

RIMS and The Hartford Group Debate Emerging Concerns of the Insurance Market, Edward Pouzar, August, p. 16.

Arkwright-Boston Explains Its Goals to ORIMS, Gord Hird, September, p. 12.

Canada's Sedgwick Alexander Inc. Parleys with ORIMS, Fred Bossons, December, p. 16.

RIMS ACTIVITIES

'State of the Society' Presented at RIMS 1984 Annual Conference, May, p. 80.

Outgoing 1983-84 RIMS President Marc Darby reviews the "year of communications," noting the year's accomplishments, while the nine vice presidents review progress in their respective areas.

'Strategic Planning' the Main Thrust of 1984-85 RIMS Presidency, Donald T. Browne, May, p. 61.

Donald Browne, in his inaugural address as 1984-85 President of RIMS, states that the theme of his term will be long-term strategic planning, with a continued commitment to improved communication.